REMARKS

This response is to the Office Action dated June 4, 2007, in which claims 1-18 were rejected. Applicants respectfully request reconsideration and allowance of all pending claims in view of the above-amendments and the following remarks.

I. REQUEST FOR TELEPHONE INTERVIEW

Applicant respectfully Requests a telephone interview with the Examiner prior to consideration of the present amendments to ensure that the present amendments are acceptable to the Examiner and, if not, to discuss possible alternatives in an effort to conclude prosecution of the application.

II. CLAIM AMENDMENTS

A. **Request For Entry of Amendments**

Independent claim 18 is amended to correct a typographical error relative to the phrase, “the method steps of claim 18.” Claim 18 now incorporates method steps from independent claim 17. Entry of this amendment is respectfully requested since it merely incorporates elements already examined in claim 17.

In addition, independent claims 1, 9, 15, 17 and 18 are amended to include additional elements that further define a “nested arrangement”. Entry of this amendment is respectfully requested to further prosecution and place the application in condition for allowance.

B. **Support for Amendments**

For example, with respect to claim 1, Step a) of the claim is amended to specify that the plurality of action identifiers is "in a nested arrangement". This finds support in the description of the published U.S. application in paragraph [0041] on page 3, which refers to "a series of nested actions".

Step b) of claim 1 is then amended to define that the plurality of activities are "ordered in a nested arrangement". This is supported by the description in paragraph [0042] on page 3.

Step c) of the claim is amended to specify that, together with outputting to the project data one or more new action identifiers or alterations to existing action identifiers in the

project data, the nested arrangement of the action identifiers is adjusted accordingly. Support for this may be found in the description of the published U.S. application in paragraphs [0043] and [0044] on page 3 and paragraphs [0064] and [0065] on page 5.

Steps a) and c) of claim 1 are also amended to define that the project data is "in a project data store". Basis for this amendment may be found in the description of the published U.S. application in paragraph [0007] on page 1 and paragraphs [0041] and [0042] on page 3.

Claims 9, 15, 17 and 18 are amended in a similar manner.

III. CLAIM REJECTIONS UNDER §102(a,e) and §103(a)

Claims 1-5, 8-18 were rejected under §102(a,e) as being anticipated by Shannon, U.S. Patent No. 6,088,678. Claims 6-7 were rejected under §103(a) as being unpatentable over Shannon.

A. **Claim 1**

Claim 1 now defines the following sequence of events as part of an automated system. The software electronically accesses project data, which stores information regarding actions in a nested arrangement. The term "nested" indicates that the project data identifies relationships between different actions. For instance, one action may not be able to start or finish until another one has finished. The skilled person understands a nested arrangement to indicate at least a link between actions, and possibly to identify these relationships.

An example of this might be in, say, building an aircraft, which comprises many thousands of actions, each of which may be dependent on one or more previous actions. The step of testing the cockpit display cannot start until the step of installing the cockpit display has been completed. In this case, the start time of the "test cockpit display" action is linked to the finish time of the "install cockpit display" action. Alternatively, the cost, or duration of one action may be linked to the features of another action.

The software analyses the project data and identifies activities, which are also ordered in a nested arrangement, thereby identifying relationships between activities. The activities are linked to the actions. Hence, the relationships between activities are based on the relationships between the actions. Hence, when at least one risk indicator is assigned, each risk

indicator is also connected to relationships between activities. For example, returning to the aircraft scenario discussed above, a "cockpit display installation" activity may be identified. If this is not completed on time, a risk that a "cockpit display testing" activity will be late, may be identified. This may lead to late delivery of the entire aircraft.

Mitigating tasks can therefore be identified based on the activities, the risk indicators and the relationships between activities. Moreover, once mitigating tasks have been identified, the relationships between actions can then be updated according to any changes or additions to the actions and this information can been stored electronically.

B. **Shannon**

Shannon describes software for simulating a process (such as an industrial process), based on the following procedure. The user of the software provides inputs, which identify the sub-steps of the project. The information that the user enters is arranged into a "benefit-trade matrix", with each sub-step being identified by an individual matrix.

The matrix comprises inputted and historical data. The data in each matrix is then processed using logical rules to determine some metrics relating to the respective sub-step. These metrics may include time, cost and risk for the sub-step. The user may then modify any of the sub-steps or variables, based on the output metrics. This software thereby allows risk to be quantified.

The Examiner has suggested that Shannon discloses the step of analyzing the project data to identify a plurality of activities. The Examiner has alleged that the "benefit-trade" matrix disclosed in Shannon is the result of the analysis, or in other words, each "benefit-trade" matrix is equivalent to an activity. It is clear from Shannon, in particular in column 4, lines 35 to 43 and in Figure 2 that the "benefit-trade" matrices are not ordered in a nested arrangement. Rather each "benefit-trade" matrix is a self-contained matrix, comprising data unique to a sub-task. Table 1, for instance, does not describe any links to other "benefit-trade" matrices, nor do the "benefit-trade" matrices appear to be ordered in any way.

The inputs for Shannon's system are provided by the user, and the outputs are sent to the user for user analysis. Shannon therefore describes a user-interactive system, which is

reliant on a user to implement parts of its functionality.

Hence, the present claims are novel over Shannon, since Shannon lacks at least the step of accessing, from a project data store, project data; analysing the project data to identify a plurality of activities that are ordered in a nested arrangement, each activity being thereby linked to at least one of the actions; and outputting to the project data in a project data store.

Moreover, it would not be obvious to the skilled person to include these features. Shannon describes a user-interactive tool for process simulation. The user provides the inputs, which are rigidly incorporated in "benefit-trade" matrices, based upon which risk metrics may be determined. The user can change the process, but such changes are formulated once the risk metric has been calculated and with no knowledge of how the risk metric was determined. Any links between the sub-tasks are not used to the determine risk.

In contrast, one or more of the present claims electronically accesses project data, which comprises a nested arrangement of actions. The project data is converted into activities, which are specific to the risk management software of the present application. Importantly, the "nested" information is retained when this occurs. This allows the risk indicator to be connected to the "nested" information. Hence, when mitigating tasks are identified these can take account of the nested information. Hence, when the project data is updated, any changes to actions or the links between actions may also take account of how the actions are linked.

Moreover, the complexity of this information makes it unsuitable for user entry. Rather, this information is accessed and outputted electronically in one or more of the present claims. The skilled person, starting from the user-interactive system of Shannon would not think to incorporate the nested arrangements of the present claims. For these reasons, the present claims would not be obvious starting from Shannon.

We therefore believe that the features that distinguish the present invention from the prior art are significant.

Similar arguments can be made with respect to the other independent claims. Accordingly, Applicant respectfully requests that the rejections of claims 1-18 be withdrawn.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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